

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Cheryl Ann McMillian

Case: 4:21-mj-30331

Judge: Unassigned,

Filed: 07-02-2021 At 12:11 PM

COMP USA V MCMILLIAN (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 28, 2021 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 2251(a)	production of child pornography
18 USC § 2252A(a)(2), (a)(5)(B)	the distribution and possession of child pornography

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: July 2, 2021City and state: Detroit, MI
Complainant's signatureSpecial Agent Michael Wiggins
Printed name and title

Judge's signature

Hon. Curtis Ivy Jr., US Magistrate Judge
Printed name and title

AFFIDAVIT

I, Michael S. Wiggins, a Special Agent with the Federal Bureau of Investigation, being duly sworn, depose and state as follows:

I. INTRODUCTION

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice (DOJ), currently assigned to the FBI's Detroit Division, Flint Resident Agency (FLRA). I have been so employed since March 2004. I am currently assigned as the Coordinator and a member of the Northeast Michigan Trafficking and Exploitation Crimes Task Force (NEMTEC) which is a Federal Bureau of Investigation (FBI) managed task force with investigative members assigned from the Michigan State Police (MSP) and FBI. It is tasked with addressing Crimes Against Children and Human Trafficking threats in coordination and cooperation with its local and state partners.
2. As part of my employment, I have received training in and been involved in investigations regarding human trafficking, exploitation of children, drug trafficking, money laundering, threats, financial crimes, crimes involving gang related activities, child pornography and other violations of federal law. I have been involved with several investigations regarding child pornography

and the exploitation of children through the internet. I have observed and reviewed numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media.

3. This affidavit is made in support of an application for a criminal complaint and arrest warrant for **Cheryl Ann McMillian** for production of child pornography, and the distribution and possession of child pornography in violation of Title 18, United States Code, Sections 2251(a) and 2252A(a)(2), (a)(5)(B).
4. The statements in this affidavit are based on my investigation of this matter, as well as the receipt of information from other FBI personnel and local law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **Cheryl Ann McMillian** has violated the federal statutes listed above.

II. INVESTIGATION

5. On or about June 28, 2021, the Flint Police Department (FPD) received a complaint from two identified individuals (Citizen-1 and Citizen-2). They provided information to FPD indicating **McMillian** had taken nude

photographs of two minor children, MV-1 and MV-2. He/she indicated that **McMillian** had provided these images to an adult male, and that adult male had paid **McMillian** for the images. Citizen-2 also provided FPD with a recording of a conversation with **McMillian** in which **McMillian** made several admissions, including taking naked photos of the minor children, and performing sex acts with or to them and recording it.

6. Citizen-2 was recontacted by FBI personnel and provided additional information. Citizen-2 originally learned of these allegations several months ago from an unidentified, mutual acquaintance of Citizen-2 and **McMillian**. This individual informed Citizen-2 that **McMillian** had advised her that if she needed money, she could send nude images of children to an associate of **McMillian**.
7. Citizen-1 and Citizen-2 confronted **McMillian**, who denied the accusations. Approximately two weeks ago, they also confronted the adult male at his residence. He similarly denied the accusations.
8. On or about June 26, 2021, Citizen-2 confronted **McMillian** again. Citizen-2 recorded a portion of this conversation. I obtained the recording from FPD

personnel and listened to it. A partial transcript of the conversation is as follows:

MCMILLIAN: Can you promise you're not putting me in prison?

CITIZEN-2: I don't want to put you in prison, [redact]. You're the only family I got, like...

MCMILLIAN: You're my only family I got. I ain't done nothing though. I don't understand what... All this shit was to [Unintelligible - UI]...

CITIZEN-2: You don't, you ain't done nothing? So taking a picture of [redact], naked. That's nothing?

MCMILLIAN: I did, yeah. I did. I did.

CITIZEN-2: Pulling on their pee pees. Did you do it to both of them?

MCMILLIAN: No just one of them. I didn't [UI]...

CITIZEN-2: Just who?

MCMILLIAN: I did [UI] I don't know if it was yours or the other one. I don't remember. 'Cause I did things like that just to please him, just to get

money. I [UI] shit being cut off left and right.
And I'm still behind on my mortgage. I'm
still behind. I'm still trying to get caught up
on my bills. I'm five hundred dollars behind
on my fucking mortgage. I get no help.

* * * * *

CITIZEN-2: Okay, you took pictures of them naked in
bed. And then...I ain't even talking about the
pictures. What else did you, did you do?

MCMILLIAN: That's all I did...was take pictures for the
man.

CITIZEN-2: And what were you doing, in the pictures?
For him? To my baby?

MCMILLIAN: I don't know, playing with his thing
probably. I don't know. Please help me out.

My memory is not what it used to be. Please help me out.

CITIZEN-2: You can't remember what you did to [redact]?

MCMILLIAN: That's all I can remember is everything like that [UI]...

* * * *

MCMILLIAN: Okay, I got two or three thousand dollars. Whatever I could get to pay bills. Whatever I needed to pay bills.

9. Citizen-2 noticed that **McMillian** had recently had work completed on her residence, including the installation of a new ramp, new flooring, and other updates. Surveillance of 1XXX Montana Avenue, Flint, Michigan, revealed a ramp in front of the residence leading from the driveway to the front door. The ramp was constructed of lumber. The lumber appeared to be new, as it was still light in color and did not appear weathered. There were also what

appeared to be worn rolls of carpet and carpet padding at the curb. No vehicles were observed in the driveway nor in front of the residence.

10. On June 30, 2021, I obtained a federal search warrant for **McMillian's** residence. This warrant was authorized by United States Magistrate Judge Curtis Ivy and was executed on July 1, 2021, by me and other law enforcement officers.
11. Concurrent with the search of **McMillian's** residence, **McMillian** was interviewed by Task Force Officer Amy Belanger and me. During this interview, **McMillian** made statements about the adult male¹. She met him on or around June 5, 2019 at his residence.
12. The adult male gave **McMillian** \$500 the first day they met. She told him about her life, and he wanted to help. Shortly thereafter, they initiated a sexual relationship. He continued to give her cash, buy her clothing, and make updates to her residence. **McMillian** believed he gave her approximately \$2,000 to \$3,000 in cash throughout their relationship.
13. On a near daily basis, the adult male would ask **McMillian** to send sexually explicit images of herself. **McMillian** often complied with these requests.

¹ Law enforcement has identified this individual and corroborated McMillian's identifying information.

She stated that “on two or three” occasions, he asked for sexually explicit images of children. **McMillian** admitted to sending three sexual images of children in her care to the adult male. She sent the images from her old cellular telephone to, she believed, his Facebook Messenger account.

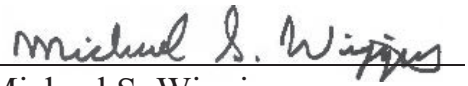
14. Around April 2020, **McMillian** said she surreptitiously took an image with her old cellular telephone of an identified, minor female (MV-3) in **McMillian**’s residence. The image was taken using a cellular telephone and was of MV-3 after exiting the shower. She was standing in front of the mirror in the bathroom. MV-3 was nude, but **McMillian** believed the image only showed her from the side. She said she took the image at the adult male’s request and sent it to him.
15. Approximately one year ago, **McMillian** took an image with her old cellular telephone of MV-2 while he was sitting on a potty-training seat in her residence. **McMillian** explained she was holding his penis at the adult male’s request. She believed MV-2’s penis was clearly visible in the image. She sent this image to the adult male.
16. Around the same time, **McMillian** took an image using her old cellular telephone of MV-1 while he was lying on his back on a couch in her residence. **McMillian** explained she was holding his penis at the adult male’s request.

She believed MV-1's penis was clearly visible in the image. She sent this image to the adult male.

17. **McMillian** claimed she felt pressured by the adult male to take these images and send them to him. When she tried to refuse, he would pressure her by reminding her of all the things he has done for her. He threatened to stop buying things for her if she did not comply.
18. The adult male would often visit **McMillian** at her residence. On a few occasions, MV-1 and MV-2 were present. There were times when **McMillian** allowed him to be alone with the children.
19. **McMillian** agreed to take a polygraph examination. The results indicated that she was deceptive concerning the extent of her participation in child exploitation crimes. After the test, she admitted to taking additional sexually explicit images and videos of minor children, including MV-1, MV-2, and MV-3. She also stated that she performed oral sex on at least one of the boys and recorded it. And she had one of the female children take naked photos of her.
20. **MV-1** and **MV-2** are both currently four years old. **MV-3** is currently 15 years old.

VIII. CONCLUSION

22. I respectfully submit that there is probable cause to believe that **Cheryl Ann McMillian** committed the crimes of production of child pornography, and the distribution and possession of child pornography in violation of Title 18, United States Code, Sections 2251(a) and 2252A(a)(2), (a)(5)(B).
23. Wherefore by this affidavit and application, I request that the Court authorize the issuance of a criminal complaint and arrest warrant for **Cheryl Ann McMillian**.


Michael S. Wiggins
Special Agent

Sworn to before me and signed in my presence
and/or by reliable electronic means on July 2, 2021.



HON. CURTIS IVY, JR.
UNITED STATES MAGISTRATE JUDGE